

**BEFORE THE TENNESSEE REGULATORY AUTHORITY**  
**NASHVILLE, TENNESSEE**

2003 MAY 12 PM 2:00

**IN RE:**

**PETITION OF CITIZENS  
TELECOMMUNICATIONS  
COMPANY OF TENNESSEE, LLC,  
FOR EXEMPTION UNDER T.C.A.  
§65-5-208(c)**

T.R.A. DOCKET ROOM

DOCKET NO ~~03-0021~~ 03-00211

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**BEN LOMAND COMMUNICATIONS, INC.'S  
MOTION FOR LEAVE TO FILE A REPLY TO CITIZENS' RESPONSE**

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Ben Lomand Communications, Inc. ("Ben Lomand"), by and through its undersigned counsel, respectfully submits this Motion for Leave to File a Reply to the Response filed on May 8, 2003 by Citizens Communications Company of Tennessee, LLC ("Citizens") to Ben Lomand's Motion to Dismiss.

Citizens commenced this action by Petition filed pursuant to Tenn. Code Ann. §65-5-208(c) to exempt its tariff services offered in McMinnville and Sparta from the price floor set therein. Ben Lomand filed its Petition to Intervene and Motion to Dismiss Citizens' Petition. Citizens then filed a Response to Ben Lomand's Petition to Intervene and Motion to Dismiss.


Citizens does not object to Ben Lomand's intervention in this matter.

In Citizens' Response to Ben Lomand's Motion to Dismiss, Citizens makes several arguments for why predatory pricing and below cost pricing is acceptable in this matter. In order to address the assertions in Citizens' Response, Ben Lomand needs to file a Reply. The arguments and precedents cited by Citizens need to be addressed in order for the Tennessee Regulatory Authority ("TRA") to properly consider this matter.

TRA Rule 12200-1-2-.06(3) states: "No reply to a response shall be filed except upon leave given upon the order of the Authority or hearing officer." Therefore, in compliance with such Rule, Ben Lomand Communications, Inc. hereby requests leave to file a Reply to Citizens' Response.

For the reason states herein, Ben Lomand requests leave to file a Reply to Citizens' Response to Ben Lomand's Motion to Dismiss.

Respectfully submitted,


  
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#### Certificate of Service

The undersigned hereby certifies that on this the 12th day of May, 2003, a true and correct copy of the foregoing has been forwarded via first class U. S. Mail, hand delivery, overnight delivery, or facsimile transmission to the following.

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